

Message Text

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ORIGIN ORM-03

INFO OCT-01 ARA-16 ISO-00 SR-02 SS-20 L-03 PRS-01 SCA-01

VOE-00 NSC-07 SSO-00 NSCE-00 INR-10 INRE-00 CIAE-00

NSAE-00 DODE-00 FBIE-00 SY-04 /068 R

DRAFTED BY S/R:ORM:FRJAMESON:CML

APPROVED BY S/R -CCPAPPAS

ARA/CAR - MR. SIMMS (PHONE)

S/R - MR.TURNER

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FM SECSTATE WASHDC

TO INS MIAMI

INFO AMEMBASSY PORT AU PRINCE

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E.O. 11652: N/A

TAGS: SREF, HA

SUBJECT: CLAIMS TO ASYLUM OF FORTY-ONE HAITIANS

REF: TELEX 1541212-10.0 FROM INS MIAMI

1. ACCORDING TO THE INFORMATION PROVIDED IN THE REFTTEL, NONE OF THE GROUP OF FORTY-ONE MAKE ANY CLAIM TO PRIOR PERSECUTION, POLITICAL AFFILIATION, OR POLITICAL IMPRISONMENT PRIOR TO THEIR DEPARTURE FROM HAITI. ONLY TWO CLAIM THAT THEIR RELATIVES HAVE HAD PROBLEMS WITH THE POLICE AND THAT FOR UNSPECIFIED REASONS. VIRTUALLY ALL STATE THAT THEIR REASON IN COMING TO THE U.S. WAS TO FIND EMPLOYMENT. WE DO NOT BELIEVE THAT ANY OF THE PERSONS IN THIS GROUP HAS MADE A VALID CALIM TO ASYLUM.

2. WHILE FOUR OF THE SUBJECTS CLAIM TO HAVE BEEN ON ACTIVE DUTY IN THE COAST GUARD AT THE TIME OF THEIR DEPARTURE FROM HAITI AND MIGHT ENCOURTER PROBLEMS BECAUSE OF THIS, ANY DIFFICULTIES ENCOUNTERED WOULD BE PROSECUTION FOR DESERTION AND NOT PERSECUTION WITHIN THE MEANING OF THE CON-
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VENTION RELATING TO THE STATUS OF REFUGEES.

3. ON THE BASIS OF THE INFORMATION PROVIDED, WE A UNABLE
TO CONCLUDE THAT THESE FORTY-ONE HATIANS SHOULD BE EXEMPTED
FROM REGULAR IMMIGRATION PROCEDURES ON THE GROUNDS THAT
THEY WOULD SUFFER PERSECUTION ON ACCOUNT OF RACE, RELIGION,
NATIONALITY, POLITICAL OPINION, OR MEMBERSHIP IN A

PARTICULAR SOCIAL GROUP SHOULD THEY BE RETURNED TO
HAITI. SHOULD THEY RPESENT ADDITIONAL INFORMATION WHICH
TO THE SERVICE SEEMS TO REQUIRE FURTHER REVIEW, WE WILL
BE PLEASED TO GIVE FURTHER CONSIDERATION TO THESE CASES.
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